



FEMA

December 18, 2018

Michael L. Todorovich
Director
Governor's Authorized Representative
WVDHSEM
1900 Kanawha Blvd., East, Building 1 Room EB-80
Charleston, WV 25304

Re: FEMA-4273-DR-WV; Nicholas County;
Second Time Extension Request - Public Assistance Alternative Procedures Permanent Work

Dear Mr. Todorovich:

In a letter dated November 30, 2018, Mr. David Roach, Executive Director of the School Building Authority of West Virginia (SBA), requested a second time extension for participation in the Public Assistance Alternative Procedures Pilot Program. FEMA had previously approved a time extension until September 25, 2018 to allow all parties to agree to a scope of work and fixed cost estimate for the replacement of three schools that were destroyed in Nicholas County during the above-referenced disaster.

However, as explained in Mr. Roach's letter, a pending lawsuit has challenged the validity of the executed agreement due to concerns about the public meeting that resulted in a vote to authorize approval of the agreement. In an effort to address the concerns regarding the previous public meeting, the SBA held another meeting on October 22, 2018, and re-affirmed the vote and approval to sign the 428 agreement. You requested that FEMA approve an additional time extension until October 31, 2018, to accommodate the second meeting and vote that authorized execution of the 428 agreement.

Your request has been approved and a time extension is granted retroactively to October 31, 2018. This is to account for the additional time that was necessary to finalize the fixed-cost estimate.

If you have any questions, please contact Michael Senycz at 215-931-5632 or by email at michael.senycz@fema.dhs.gov.

Sincerely,

MaryAnn Tierney
Regional Administrator